

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

05 APR 14 PM 2:08
 ADMINISTRATION
 STATE PROCUREMENT OFFICE
 STATE OF HAWAII

To: Chief Procurement Officer

From: Health/Disease Outbreak Control Division
Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):
 Laboratory services and testing for suspected reportable disease conditions such as, but not limited to, Hepatitis A, B, C, influenza, various foodborne diseases, various communicable diseases, unusual or rare diseases, bioterrorism agents and vaccine preventable diseases. Doctors and laboratories are required by law to report certain diseases as a matter of public health concern. This is to help the state take action in containing and preventing widespread outbreaks of communicable diseases.

Provider Name: Multiple providers	Total Contract Funds: \$25,000 - \$150,000 per year	Term of Contract: From: To: July 1, 2005 June 30, 2010 2007 MS
Provider Address:	Contract Funds per Year (as applicable). No contracts. Fee for service.	

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

It is not practical to contract for these services as the specific laboratory tests are unknown until report of a suspected disease is received by DOH. Laboratory samples, such as blood draws must be done at sites convenient for patients or they will not participate. If a patient does not cooperate then appropriate testing cannot be done to identify disease agents. Non-compliance with testing would interfere with the implementation of appropriate control measures and treatment resulting in an increased risk for spread of communicable diseases and the occurrence of outbreaks. The nature of all testing required over a period of time is difficult to predict because it depends on current disease activity at the time. Patterns of disease occurrence do not remain static. They change from season to season and year to year. Cost is not necessarily a factor in procurement because service costs are fairly standard among the laboratories. Charges within the metropolitan area are no different than rural areas, and fees for metropolitan areas are not a separate negotiable factor with the laboratories. Patient access to laboratory services through major laboratories as well as smaller facilities statewide, the availability of appropriate services, and result turnaround time for test results are of the utmost importance in preventing the spread of communicable diseases.

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Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

Service providers utilized are determined by their ability to perform the necessary services. Crucial factors affecting the ability to provide a service may include the laboratory's biosafety level rating (approval to handle certain types of infectious agents), ability to perform the appropriate laboratory analyses, ability to provide results quickly and accurately, ability to service the number of patients possibly to be referred for services, and location of the laboratory for the patient convenience. In some cases, tests are only processed in one or two facilities nationally such as Dengue Fever, but the samples must be taken, packed and shipped by a laboratory to that facility. Laboratories must be nationally certified laboratories.

A description of the state agency's internal controls and approval requirements for the exempted procurement:
The Department of Health/Disease Outbreak Control Division follows established disease investigation protocols based on those established by the Centers for Disease Control (CDC), American Public Health Association, American Academy of Pediatrics (AAP), Academy of Practitioners of Infection Control (APIC) and others. All investigation staff members work under the supervision of a licensed physician. Based on the protocols a person with a suspected reportable disease condition may be requested to have a laboratory test. A standard laboratory form (supplied by the various laboratories) detailing the test or tests required is faxed by DOH staff to the laboratory selected by the patient (usually based on geographic location). The test results are then reported by the laboratory directly to the DOH. Further action is taken based on the established investigation protocols mentioned above. Laboratory invoices are checked by clerical staff to confirm that the clients were actually DOH clients and that charges are usual and customary before payment is authorized and processed for payment.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Chief, Disease Outbreak Control Division
Physician II
Public Health Administrative Officer V

Direct questions to (name & position): Linda Nagata	Phone number: 586-8328	e-mail address: linda.m.nagata@doh.hawaii.gov
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This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.


Department Health Signature

APR 12 2005
Date

Typed Name

Position Title

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Chief Procurement Officer's Comments:

Approval is for 2 years through June 30, 2007.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied



Chief Procurement Officer

4/21/05

Date

cc: Administrator
State Procurement Office